

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BOARD OF TRUSTEES OF THE TEAMSTERS LOCAL)
445 CONSTRUCTION DIVISION HEALTH AND)
WELFARE FUND, TEAMSTERS LOCAL 445)
CONSTRUCTION DIVISION PENSION FUND,)
TEAMSTERS LOCAL 445 CONSTRUCTION ANNUITY)
FUND, AND TEAMSTERS LOCAL 445 EDUCATION)
AND TRAINING FUND,) Index No.: 22-cv-1534 (VB)
Plaintiffs,)
)
) DEFAULT JUDGMENT
-against-)
)
)
JULIAN'S AUTO REPAIR INC.,)
)
)
Defendant.)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/25/22

This action was commenced on February 24, 2022, by the filing of a Summons and Complaint. The Summons and Complaint were served via personal service upon the Defendant, Julian's Auto Repair Inc., on March 1, 2022. Service was accepted by Lisa Marcinak, the general agent of Julian's Auto Repair Inc. Proof of Service was filed with the Clerk of this Honorable Court on March 17, 2022, and the Defendant not having appeared, answered or otherwise moved with respect to the Complaint within the time allowed by law, and the time for appearing, answering or otherwise moving having expired it is,

ORDERED, ADJUDGED AND DECREED: that the Plaintiffs have judgment against Defendant in the liquidated amount of Two Thousand Nine Hundred and Thirty Dollars (\$2,930.00), which includes the following: attorneys' fees in the sum of \$2,390.00 and court costs and disbursements of this action in the sum of \$540.00.

ORDERED, that the Defendant permit and cooperate in the conduct of an audit of all of its books and records including, but not limited to, all payroll journals, business income tax returns, general ledger and journal, books of original entry, subsidiary ledgers, payroll records, bank statements, and cancelled checks, W-2 and W-3 forms, 940, 941, WT4-A and WT4-B forms, 1099 forms, New York State employment report, insurance reports, disability insurance reports, Workers Compensation report forms and remittance reports for the effective period of the collective bargaining agreement and directing that the Court retain jurisdiction for the limited purpose of permitting Plaintiffs to amend the judgment should the Defendant comply with the audit to include the additional amounts determined by the audit to be due and owing, together with the interest, liquidated damages, auditors' fees and attorneys' fees.

ORDERED, that the Judgment rendered by the court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant and the Clerk of the Court is directed to enter such judgment forthwith.

Dated: White Plains, New York
August 25, 2022

So Ordered:



Honorable Vincent L. Briccetti, U.S.D.J.

The Clerk is further directed to close this case.